

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

In Re:

Nicholas Joseph Rodi,  
Debtor,

Ally Financial Lease Trust,

Movant,

vs.

Nicholas Joseph Rodi

Gwen Ann Rodi, Co-Debtor

Ronda J. Winnecour, Trustee

Respondents,

: No. 17-22306-JAD

: Chapter 13

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: Related Document NO. 45-44

: Hearing Date: 9/18/18 at 10:00 a.m.

: Response Date: 8/18/18

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**DEBTOR'S RESPONSE TO MOTION FOR RELIEF FROM STAY**

**AND NOW** comes the Debtor, Nicholas Joseph Rodi, by and through his attorneys, Calaiaro Valencik and David Z. Valencik, and responds as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4. Admitted.

5. Admitted. And by way of further response, the non-Debtor spouse attempted to make every payment under this agreement. The Movant refused to accept the payments.

6. Denied as stated. The non-Debtor spouse attempted to make every payment under this agreement. The Movant refused to accept the payments.

7. Denied for the reasons stated in the prior two paragraphs. By way of further response, the parties have been in contact and the non-Debtor spouse will deliver the prior refused payments to Movant. The payments will be mailed to an

address provided by the Movant to the Co-Debtor. The Co-Debtor will continue to mail monthly payments to the Movant going forward. The Co-Debtor has forwarded an amount to bring the account current through August 2018.

8. Admitted that a NADA report is attached.

9. Admitted.

10. Denied, this vehicle is necessary for a successful reorganization. Both the Debtor and the Co-Debtor need vehicles to go to work. Without this vehicle, the Co-Debtor is not able to travel to work. As stated above, the non-Debtor spouse will deliver the prior refused payments to the Movant and adequately protect their interest by making full contractual payments going forward.

11. Denied. The vehicle is necessary for the non-Debtor spouse to get to work and transport minor children to required destinations.

12. Admitted.

13. Denied that relief should be granted. The Co- Debtor offered to make monthly payments and they were refused by the Movant. The Co-Debtor will cure all past payment and make the contractual payment going forward. The Movant will not suffer any harm.

14. Denied as stated for the reasons set forth in the preceding paragraphs. The Movant will not suffer any harm.

15. Denied.

**WHEREFORE**, the Debtor respectfully requests that this Motion be denied at the appropriate time.

Respectfully Submitted,

August 17, 2018

/s/ Donald R. Calaiaro

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